

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Commissioner of Employment and Training Department – Public Servants. – Gazetted Establishment – Sri K.S.N.Murthy, District Employment Officer, Nalgonda – Allegations of Corruption – Case entrusted to Tribunal for Disciplinary Proceedings - Departmental Enquiry Conducted - Warned – Set a side the orders issued by the Commissioner of Employment and Training - Revised show cause notice issued – Explanation submitted – Imposing the punishment of stoppage of two (2) annual grade increments with cumulative effect - Orders – Issued.

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LABOUR EMPLOYMENT TRAINING & FACTORIES (VIG) DEPARTMENT

G.O.Ms.No. 43

Dated 02.07.2011

Read the following

- 1 From the DET Proceedings No. N3.2087/99  
datd:24.7.1999.
2. Govt.Memo.No. 1028/Emp.A1.99-1, dated 25.08.1999.
3. From the DET letter No. N3/2087/99 dated 26.11.1999.
4. Govt.Memo.No. 1028/Emp.A1.99-3, dated 24.01.2000.
5. From DGACB., Rc.No17/RE-VKI/2000 dated 21.12.2000.
6. Govt.Memo.No. 1028/Emp.A1/99-9, dated 07.02.2001
7. TDP Report Dis.No. 949, dated 06.11.2001.
8. Govt.Memo.No. 1028/Emp.A1.99-15, dated 22.4.2004.
9. Govt.Memo.No. 1028/Emp.A1.99-20, dated 11.3.2005.
10. From the CET, Lr.No. G6/N3/2087/1999, dated 26.12.2006.
11. Govt. Memo.No.1028/Vig./1999-25, dated: 09.01.2009.
12. Explanation from Sri K.S.N.Murthy on 4.7.2009.
13. Govt. Letter No. 1028/vig/1999-27, Dated 26.08.2009.
14. From APPSC, Lr No. 1126/RT-I/1/2009 dated 27.11.2009.
15. Govt. Memo.No. 1028/Vig/1999-30, Dated 17.06.2010.
16. Explanation from Sri K.S.N.Murthy, DEO, Nalgonda dated  
30.05.11

ORDER

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In the proceedings 1<sup>st</sup> read above, Sri K.S.N.Murthy, District Employment Officer, Vijayawada was placed under suspension on a complaint received from Union of Central Bank of India alleging that he has issued ‘ No Objection Certificates’ to certain individuals working in Central Bank of India for regularization of their services as part time Safai Kamarcharies in Central Bank of India for which he is not competent authority and it is further alleged that he did it by taking illegal gratification of Rs. 15,000/- from the individuals.

2. In the memo 2<sup>nd</sup> read above, the representation of Sri K.S.N.Murthy, District Employment Officer and orders of Andhra Pradesh Administrative Tribunal were sent to Director, Employment and Training with a request to send a detailed report in the matter.

3. In the letter 3<sup>rd</sup> read above, as continuous allegations were received by the Commissioner, Employment and Training against the Accused Officer the Commissioner, Employment and Training has requested the Government to refer the case to Anti Corruption Bureau. Accordingly in the memo 4<sup>th</sup> read above, the Director General, Anti Corruption Bureau was requested to cause thorough investigation and send a detailed report into the matter.

P.T.O.

4. In the letter 5<sup>th</sup> read above, the Director General, Anti Corruption Bureau has recommended the Government to take departmental action against the Accused Officer for imposing a major penalty for having substantiated the charge of issuing 'No Objection Certificates' to certain individuals though he was not competent to do so.

5. In the memo 6<sup>th</sup> read above, the Government after examining the report of the Director General, Anti Corruption Bureau have issued orders to entrust the case to Tribunal for Disciplinary Proceedings. In the letter 7<sup>th</sup> read above, Tribunal for Disciplinary Proceedings has submitted their report to Government.

6. In the memo 8<sup>th</sup> read above, a copy of the Tribunal for Disciplinary Proceedings report was sent to Commissioner of Employment and Training with a request to take further action on the departmental proceedings against Sri K.S.N.Murthy, in accordance with rules and refer the matter to Govt. for taking further action. In the memo 9<sup>th</sup> read above, the Commissioner of Employment and Training was instructed to take further action on in accordance with rules and arrive at the penalty to be imposed provisionally and thereafter refer the case to the Government for advice.

7. In the letter 10<sup>th</sup> read above, the Commissioner of Employment and Training has submitted his report to Government reporting that he has framed the charges and got the same enquired into by the Deputy Director (Job Development) who in pursuance of the enquiry conducted by him held the charges as proved against the Accused Officer. However, no final orders were issued based on the enquiry conducted by the departmental officer in view of the Tribunal for Disciplinary Proceedings Enquiry. The Tribunal for Disciplinary Proceedings took the same stand in its report dated 31.12.2002, and held that in view of the departmental enquiry already held, the Tribunal for Disciplinary Proceedings enquiry would be untenable (as this amounts to double jeopardy) and exonerated the Accused Officer of the charge and hence Sri K.S.N.Murthy was warned to be careful in future.

8. In the memo 11<sup>th</sup> read above, the Government after examining the entire issue have decided to set-a-side the above orders and to re-examine the matter under rule 41 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 duly enhancing punishment from that of warning issued by the Commissioner of Employment and Training vide memo No. G6/N3/2087/99, dt. 06.11.2006 to an appropriate justifiable level and issued a show cause notice to the individual to show cause as to why the punishment should not be enhanced against him and requested to submit his representation. In the representation 12<sup>th</sup> read above, Sri K.S.N. Murthy, District Employment Officer has submitted his written representation denying the charge and requested to exonerate him from the charge as was done by the Tribunal for Disciplinary Proceedings. In the letter 14<sup>th</sup> read above the Andhra Pradesh Public Service Commission has concurred with the proposal of the Government.

9. Accordingly in the memo 15<sup>th</sup> read above a revised show cause notice was issued to the Charged Officer as to why the punishment of stoppage of two (2) annual grade increments with cumulative effect should not be imposed on him under rule 41 of Andhra Pradesh Civil Services (CC&A) Rules 1991 and requested to submit his representation within 15 days.

10. In the representation 16<sup>th</sup> read above Sri K.S.N.Murthy, District Employment Officer has furnished his explanation in response to the show cause notice and he has not brought out new facts or grounds for consideration.

P.T.O.

11. Government after careful examination of the findings of the Inquiry Authority and the representation of the charged Officer on the enquiry report and show cause notice and taking all relevant material into consideration have decided to impose the punishment of stoppage of two (2) annual grade increments with cumulative effect against Sri K.Satyanarayana Murthy, District Employment Officer, Nalgonda under Rule 9 of Andhra Pradesh Civil Services (CCA) Rules, 1991.

12. Accordingly, the Commissioner of Employment and Training is hereby directed to impose the punishment of stoppage of two (2) annual grade increments with cumulative effect against Sri K.Satyanarayana Murthy, District Employment Officer, Nalgonda under Rule 9 of Andhra Pradesh Civil Services (CCA) Rules, 1991 and to send a compliance report to Government.,

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADEHS)

D.SREENIVASULU,  
SECRETARY TO GOVERNMENT

To

Sri K.S.N.Murthy, District Employment Officer, through  
the Commissioner of Employment and Training, Hyderabad.

The Commissioner of Employment and Training, Hyderabad.

The Andhra Pradesh Vigilance Commission, Hyderabad.

The Director General, Anti Corruption Bureau, Hyderabad.

The Tribunal for Disciplinary Proceedings, Hyderabad.

The Secretary, Andhra Pradesh Public Service Commission., Hyderabad.

Copy to

The OSD to M(LET&F ITI s)

The P.S. to Secretary, LET&F Department.

The P.A. to Joint Secretary, LET&F Department.

Sf/Sc.

//Forwarded :: By order//

SECTION OFFICER